

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SS-15 NSC-05 VO-03 SCA-01 SR-02 ORM-01

L-02 H-01 CIAE-00 INR-05 NSAE-00 RSC-01 NEA-06 SP-02

INSE-00 PPT-01 /058 W

----- 106344

R 141108Z NOV 74

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC 0875

LIMITED OFFICIAL USE SECTION 1 OF 2 BUCHAREST 5285

E.O. 11652: N/A

TAGS: CVIS, CPAS, RO

SUBJECT: EMIGRATION FROM ROMANIA

REF: STATE 236660, 248995

1. SUMMARY: OFFICIALLY, ROMANIAN GOVERNMENT DOES NOT RECOGNIZE EXISTENCE OF EMIGRATION PROBLEM HERE. IT DOES HOWEVER, PLACE CONTROLS ON PERMISSION FOR CITIZENS TO LEAVE COUNTRY. IN PRACTICE, ROMANIA'S RECORD ON EMIGRATION IS MIXED. SOME GROUPS, LIKE MINORITIES, HAVE LEFT IN CONSIDERABLE, OFTEN INCREASING NUMBERS. ETHNIC ROMANIANS, ON OTHER HAND, HAVE NOT FARED AS WELL. END SUMMARY.

(A) HOST COUNTRY'S ATTITUDE TOWARD EMIGRATION

2. ROMANIAN STATE DOES NOT OFFICIALLY DENY ITS CITIZENS RIGHT TO EMIGRATE, BUT CONTROLS THEIR OPPORTUNITY TO LEAVE BY PLACING ADMINISTRATIVE OBSTACLES IN WAY OF MANY APPLICANTS.

3. LEGALLY, ROMANIAN CONSTITUTION MAKES NO REFERENCE TO RIGHT OF ROMANIAN CITIZENS TO EMIGRATE. LEGISLATION IN FACT STATES ALL CITIZENS HAVE RIGHT TO PASSPORT BUT MAKES IT CLEAR STATE RESERVES RIGHT  
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TO DETERMINE WHO CAN LEAVE. PUBLIC POSTURE (CEAU-

CESCU PRESS CONFERENCE, E.G., DECEMBER 6, 1973 AND NOVEMBER 4, 1974) IS "THERE IS NO PROBLEM."

4. ROMANIAN CITIZENS WISHING TO EMIGRATE FIRST GO TO LOCAL POLICE TO FILE APPLICATION, WHICH IS FORWARDED FOR HIGHER REVIEW BY THE "COMMISSION ON PASSPORTS AND VISAS" IN BUCHAREST. THE PROCESS IS LENGTHY. EMBASSY IS AWARE OF SPECIFIC CASES WHERE APPLICANTS AWAITING DEPARTURE LOSE THEIR JOBS AND ARE SUBJECT TO OCCASIONAL POLICE HARASSMENT. THOSE WHO RENOUNCE THEIR CITIZENSHIP PRIOR TO DEPARTURE MUST ALSO LIQUIDATE THEIR PROPERTY IN ROMANIA. WHILE TOLERATING SMALL STEADY OUTFLOW, ROMANIAN STATE REGARDS LARGE-SCALE EMIGRATION AS SERIOUS THREAT TO IDEOLOGICAL CLIMATE AND ECONOMIC DEVELOPMENT AND DOES WHAT IT CAN TO DISCOURAGE MASS MOVEMENT ABROAD.

B. EMIGRATION PRACTICES OVER RECENT YEARS

5. IT IS HARD TO GIVE ACCURATE ESTIMATES OF TOTAL FROM ROMANIA IN RECENT YEARS SINCE NO OFFICIAL STATISTICS ARE AVAILABLE ON SUBJECT. PERHAPS FIFTEEN THOUSAND HAVE EMIGRATED LEGALLY FROM HERE ANNUALLY SINCE 1968.

6. DENIAL OF PASSPORTS IS DAILY OCCURRENCE, BUT MANY OF THOSE WHO PERSEVERE IN EFFORTS DO SUCCEED IN OBTAINING PERMISSION TO LEAVE. APPLICANTS ARE NOT TOLD WHY REQUESTS ARE DENIED. IN CONVERSATIONS WITH ROMANIAN OFFICIALS, EMBASSIES ARE MOST FREQUENTLY TOLD 1) REFUSED PERSONS HAVE MORE TIES IN ROMANIA THAN ELSEWHERE; AND 2) MEMBERS OF APPLICANT'S FAMILY LEFT ILLEGALLY, SO STATE CANNOT GRANT EXIT PERMITS TO REMAINING MEMBERS UNTIL FUGITIVE CITIZEN LEGALIZES HIS DEPARTURE. THIS CAN BE DONE BY FILING A PETITION WITH ROMANIAN EMBASSY ABROAD WHICH IS FORWARDED FOR APPROVAL BY COUNCIL OF STATE IN ROMANIA.

7. FURTHERMORE, RELUCTANCE OF LOCAL AUTHORITIES TO LET SKILLED TECHNICIANS LEAVE COUNTRY IS MARKED, PARTICULARLY ANYONE WHO HAS WORKED IN AREAS CONSIDERED LIMITED OFFICIAL USE

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"SENSITIVE" INCLUDING KEY INDUSTRIES, GOVERNMENT SERVICE, OR ARMED FORCES.

8. BECAUSE IT IS DIFFICULT FOR MANY ROMANIANS TO LEAVE LEGALLY, DEFECTIONS AMONG ROMANIAN TEMPORARY VISITORS ABROAD ARE FREQUENT. EXACT FIGURES ARE NOT KNOWN, BUT CONSULTATION WITH OTHER EMBASSIES (SEE SEPTTEL) SUGGESTS OF TEMPORARY VISITORS NEVER

RETURN.

9. RESTRICTIONS ON TEMPORARY TRAVEL ARE BELIEVED TOUGHER NOW THAN A FEW YEARS AGO, BUT ARE SEEN PRIMARILY AIMED AT OBTAINING HIGHER-LEVEL SCREENING OF APPLICANTS; EMIGRATION LEVELS, ON THE OTHER HAND, HAVE REMAINED ROUGHLY STABLE SINCE 1968, WITH THE EXCEPTION OF INCREASE FOR GERMANS.

C. STATISTICS ON EMIGRATION TO U.S.

10. ONLY 380-400 PERSONS EMIGRATE FROM ROMANIA TO THE U.S. ANNUALLY. WHILE MORE THAN BEFORE 1968, THIS IS STILL SMALLER NUMBER THAN WE HAD HOPED WOULD BE ALLOWED TO LEAVE. FIGURES BELOW INDICATE A STEADY INCREASE IN EMIGRATION FROM ROMANIA UP TO 1970, WITH LEVELING OFF AT APPROXIMATELY 386 PERSONS.

YEAR	NUMBER OS IV ISSUED
1968	68
1969	142
1970	373
1971	362
1972	348
1973	489
1974	362 (END OF OCTOBER)

11. NUMBER OF IV APPLICANTS DECLARED INELIGIBLE SINCE 1968 HAS BEEN NEGLIGIBLE. EMBASSY BACKLOG (ASIDE FROM THOSE UNABLE TO OBTAIN EXIT PERMITS) INCLUDES FOUR PERSONS NOW, ALL IN THE NON-PREFERENCE CATEGORY.

12. EMBASSY FILES ALSO CONTAIN THE RECORDS OF 1,500 PERSONS WHO WISH TO GO U.S., HAVE PETITIONS FILED ON LIMITED OFFICIAL USE

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THEIR BEHALF, BUT CANNOT GET PERMISSION TO LEAVE ROMANIA. TO THIS NUMBER SHOULD BE ADDED ANOTHER GROUP: DUAL NATIONALS. SINCE 1971 MORE THAN 255 AMERICANS HAVE PERSISTENTLY SOUGHT TO LEAVE. OF THESE 175 ARE STILL WAITING. EMBASSY FILES ALSO CONTAIN NAMES OF ADDITIONAL 325 WHO HAVE ATTEMPTED TO OBTAIN ROMANIAN TRAVEL DOCUMENTS, AND GIVEN UP IN FRUSTRATION. FORTY-EIGHT DUAL NATIONALS PER YEAR HAVE ALLOWED TO LEAVE SINCE 1968 (BUT ONLY 16 SO FAR IN 1974) MOSTLY FOR COMPELLING HUMANITARIAN REASONS. NO FIGURES ARE AVAILABLE FOR 1968 AND 1969, BUT THE FOLLOWING NUMBER OF DUAL NATIONALS HAVE BEEN ALLOWED TO LEAVE SINCE 1970:

1970-82

1971-49

1972-24

1973-40

1974-16 (END OF OCTOBER)

DUAL NATIONALS, THEIR IMMEDIATE RELATIVES, AND EMIGRANT  
CASES AMOUNT TO THE 1,633 MENTIONED IN STATE 248995.

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INFO OCT-01 ISO-00 SS-15 NSC-05 VO-03 SCA-01 SR-02 ORM-01

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INSE-00 PPT-01 /058 W

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R 141108Z NOV 74

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC 0876

C O N F I D E N T I A L SECTION 2 OF 2 BUCHAREST 5285

D. POTENTIAL NUMBER OF SERIOUS APPLICATIONS

13. NUMBER OF POTENTIALLY QUALIFIED EMIGRANTS, HOW-  
EVER, IS MUCH LARGER --- NEARLY 4,500. MOST ARE  
DISCOURAGED FROM ASKING FOR EXIT PERMITS FOR REASONS  
OUTLINED ABOVE, BUT EMBASSY ESTIMATES THAT ALMOST ALL  
OF THEM WOULD SEEK TO EMIGRATE TO U.S. IF RESTRICTIONS  
WERE REMOVED.

14. EMBASSY ALSO WISHES TO POINT OUT THAT IN CASE OF  
DUAL NATIONALS PRECISE FIGURES FOR CATEGORY "AND  
FAMILY" NOT AVAILABLE SINCE DUAL NATIONALS DO NOT, AND  
ARE NOT REQUIRED ON FORMS TO LIST ALL IMMEDIATE  
RELATIVES. HOWEVER, IF ALL DUAL NATIONALS AND IMMEDI-  
ATE RELATIVES WERE PERMITTED TO DEPART THEIR NUMBERS  
WOULD BE APPROXIMATELY 1,000. 5,500 REPRESENTS  
EMBASSY'S BEST ESTIMATE AS TO NUMBER OF POTENTIAL  
SERIOUS APPLICANTS IN ROMANIA TODAY.

E. EXIT FEES AND OTHER CHARGES

15. FEES CHARGED FOR EXIT PERMITS TO LEAVE ROMANIA  
ARE MODERATE. THE PASSPORT AND EXIT PERMITS COST

375 LET (11.88 LET TO DOLLAR) AND THE APPLICATION FORM FOR PERMISSION TO LEAVE 25 LEI. THERE ARE NO OTHER OFFICIAL CHARGES. IF PERSON HAS BEEN DENIED PERMISSION TO LEAVE COUNTRY, HE MAY HAVE HIS CASE REVIEWED BY PAYING FEE OF 187 LEI.  
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16. WHEN AN APPLICANT FILLS OUT A REQUEST TO LEAVE ROMANIA, HE IS ASKED WHETHER HE WISHES TO TRAVEL AS A ROMANIAN CITIZEN, OR STATELESS PERSON. IN THE LATTER CASE, HE WILL BE REQUIRED TO PAY 1,000 LET IN ORDER TO OBTAIN RENUNCIATION OF ROMANIAN CITIZENSHIP. MANY PEOPLE PREFER TO APPLY FOR STATELESS PASSPORTS, BECAUSE AFTER THEY LEAVE THE COUNTRY THEY ARE NO LONGER CONSIDERED ROMANIAN CITIZENS, AND FIND IT EASIER TO RETURN TO VISIT RELATIVES HERE. ON OTHER OCCASIONS, AUTHORITIES SIMPLY INFORM PERSONS THAT THEY WILL BE ISSUED STATELESS PASSPORTS WITHOUT ANY EXPLANATION. EMBASSY HAS PROCESSED JEWS, AND OTHER MINORITY GROUPS FOR EMIGRATION WITH BOTH ROMANIAN AND STATELESS PASSPORTS. THERE APPEARS TO BE NO CLEAR CRITERIA USED BY ROMANIAN STATE IN ISSUING THESE TWO TYPES OF PASSPORTS.

17. FINALLY, EMBASSY WISHES TO DRAW ATTENTION TO ART. 21 OF LAW NO. 1/1970 WHICH IS POTENTIAL SOURCE OF EXORBITANT CHARGES FOR PROCESSING PERMANENT DEPARTURE APPLICATIONS. LAW STATES IF AN ENTERPRISE TRAINS A SALARIED EMPLOYEE, AND EMPLOYEE LEAVES COUNTRY WITHIN FIVE YEARS OF THE TIME HE WAS TRAINED, HE IS REQUIRED TO REIMBURSE HIS FIRM FOR THE COSTS OF HIS TRAINING. TO DATE, HOWEVER, ONLY ONE CASE HAS COME TO EMBASSY'S ATTENTION, WHERE ROMANIAN CITIZEN MARRIED U.S. CITIZEN: THIS APPLICANT HAS BEEN TOLD SHE CANNOT RECEIVE PERMISSION TO LEAVE THE COUNTRY UNTIL COSTS OF HER TRAINING, IN THIS CASE THE SUBSTANTIAL SUM OF 27,500 LEI, HAVE BEEN REPAID. THIS CASE IS IN LITIGATION BECAUSE THIS REQUIREMENT WAS NOT CLEARLY SPECIFIED WHEN APPLICANT SIGNED HER TRAINING CONTRACT.

18. GOR IS INCREASINGLY AWARE OF CONGRESSIONAL INTEREST IN ITS EMIGRATION POLICY. FOMIN MACOVESCU, FOR EXAMPLE, HAS FOLLOWED CLOSELY THE JACKSON-KISSINGER DISCUSSIONS. DURING SECRETARY'S VISIT NOVEMBER 3-4, THERE WAS ADDITIONAL EVIDENCE OF ROMANIAN AWARENESS OF THE PROBLEM. INCLUSION IN THE JOINT COMMUNIQUE DURING THIS VISIT OF A CLAUSE WHEREBY BOTH  
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COUNTRIES PLEDGE TO CONTRIBUTE TO THE SOLUTION OF HUMANITARIAN PROBLEMS WAS ESSENTIALLY AT ROMANIA'S SUGGESTION. OBVIOUSLY, THE PROOF OF THE PUDDING IS THE EATING THEREOF, AND EMBASSY IS WATCHING CLOSELY FOR SIGNS INDICATING SUBSTANTIVE CHANGES IN ROMANIAN EMIGRATION POLICY.

19. SEPARATE TELEGRAM ON EMBASSY CONSULTATIONS AND MINORITIES, ITEMS A AND E IN STATE REFTTEL 23660.

BARNES

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## Message Attributes

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